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12 **IN THE UNITED STATES DISTRICT COURT
13 FOR THE
14 NORTHERN MARIANA ISLANDS**

15 PAUL MURPHY,

16 Plaintiff,

17 v.

18 ROBERT A. GUERRERO, in his official
19 capacity as Commissioner of the Department
20 of Public Safety of the Commonwealth of
21 the Northern Mariana Islands, and LARISSA
22 LARSON, in her official capacity as
23 Secretary of the Department of Finance of
24 the Commonwealth of the Northern Mariana
25 Islands,

26 Defendants.

27 Civil Action No. 14-0026

28 **STIPULATION TO SUBMIT THE
CALIBER RESTRICTION ISSUE
ON THE PREVIOUSLY FILED
BRIEFS**

29 NOW INTO COURT, comes now Defendant Robert A. Guerrero, in his official capacity
30 as Commissioner of the Department of Public Safety for the Commonwealth of the Northern
31 Mariana Islands, and Larrisa Larson, in her official capacity as Secretary of the Department of
32 Finance for the Commonwealth of the Northern Mariana Islands (collectively "the
33 Commonwealth"), by and through counsel, Charles E. Brasington, and Plaintiff Paul Murphy, pro
34 se, and stipulate to submitting the issue of the caliber restriction on the briefs filed in this case,
35 aside from any minor supplemental arguments based on the testimony of Officer Hosono. As
36 grounds therefore the parties would show the following:
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1. The Parties submitted Motions for Summary Judgment previously in this case.
2. These motions for summary judgment dealt to a great extent with the Commonwealth's
3. caliber restriction;
4. After oral argument, but before a decision could be issued, this Court issued its decision in
5. *Radich v. Deleon Guerrero* finding the Commonwealth's handgun ban unconstitutional.
6. Shortly after the *Radich* decision was issued, the Office of the Attorney General submitted
7. a proposed Special Act for Firearms Enforcement ("SAFE").
8. Enacted as Public Law 19-42, SAFE retained the caliber restrictions, though the citation
9. changed to 6 CMC § 10208(6).
10. The change in citation has not greatly affected the Parties arguments, but new provisions
11. of SAFE have come into issue in this case, all requiring individual analysis.
12. Repeating the arguments as to caliber would be unnecessarily duplicative and would not
13. be an efficient allocation of resources for the Parties or the Court.
14. Submitting the caliber restriction issue on the previously filed briefs, aside from minor
15. supplemental arguments will be a more efficient allocation of resources.
16. The Parties will still be prepared to address the caliber issue at oral argument.
- 17.
- 18.
- 19.

20 Submitted this 29th of July, 2016.

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22 /s/ Paul Murphy

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Paul Murphy
Pro Se

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22 /s/ Charles E. Brasington

Charles Brasington
Assistant Attorney General
Attorney for Defendants

CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing has been electronically filed this 29th day of June, 2016. Further, I certify that a true and correct copy of the foregoing motion was served by electronic mail at Paul.murphy.officialmail@gmail.com.

/s/ Charles E. Brasington

Charles E. Brasington
Assistant Attorney General
Office of the Attorney General